



OFFICE OF THE COMMISSION AUDITOR

MEMORANDUM

TO: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

FROM: Adeyinka Majekodunmi, CPA
Commission Auditor

A handwritten signature in blue ink, appearing to read "Adeyinka Majekodunmi", with a large blue scribble underneath.

DATE: May 10, 2022

SUBJECT: Monthly Report on Countywide Evictions and Foreclosures Data – February 2022

Resolution No. R-58-21, adopted at the January 21, 2021 meeting of the Board of County Commissioners (BCC), directs the Office of the Commission Auditor (OCA) to provide monthly reports to the BCC and the Miami-Dade County Homeless Trust detailing countywide residential and commercial evictions statistics based on data received from the Clerk of the Courts (COC) and the Miami-Dade Police Department (MDPD). Resolution No. R-468-21, adopted at the BCC’s May 4, 2021 meeting, directs OCA to include residential and commercial foreclosures data in its monthly evictions report. Accordingly, OCA has collaborated with both the COC and MDPD to retrieve, review, analyze and report on both evictions and foreclosures data.

In Section I of the report, OCA presents countywide residential and commercial evictions data from March 1, 2020 to December 31, 2021 depicting trends on the quantity of cases filed and their case status, as well as the number of writs of possession issued and executed during the COVID-19 pandemic. The data also reviews the quantity of COVID-related eviction declarations filed with the Eleventh Judicial Circuit of Florida in accordance with the court’s administrative orders as well as the CARES Act. As stated in OCA’s initial report on evictions, the Odyssey Case Manager, the COC’s case management system, did not distinguish between commercial and residential evictions prior to October 1, 2020. Therefore, OCA reports on evictions data by property type only from October 1, 2020 and onward.

In Section II of the report, OCA presents countywide residential and commercial foreclosures data during the same timeframe—March 1, 2020 to December 31, 2021—providing information on cases filed by case status and property type, as well as final judgments issued and foreclosure sales imposed during the COVID-19 pandemic. As stated in OCA’s initial report on foreclosures, the Odyssey Case Manager does not capture the address of the property subject to foreclosure; therefore this report does not include data on the location by zip code of each residential and commercial property that is or was subject to a foreclosure action.

This report will be placed in the next available BCC meeting agenda per Ordinance No. 14-65, as the report was prepared at the BCC's request. Should you have any questions or need additional information, please contact me at (305) 375-4354.

cc: Honorable Mayor Daniella Levine Cava
Geri Bonzon-Keenan, County Attorney
Gerald K. Sanchez, First Assistant County Attorney
Jess McCarty, Executive Assistant County Attorney
Basia Pruna, Director, Clerk of the Board
Victoria Mallette, Executive Director, Homeless Trust
Jennifer Moon, Chief, Office of Policy and Budgetary Affairs
Eugene Love, Agenda Coordinator



OFFICE OF THE COMMISSION AUDITOR

Countywide Evictions and Foreclosures Data Monthly Report

February 2022

Yinka Majekodunmi, CPA
Commission Auditor

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I. EVICTIONS

The following is being reported pursuant to Section 4 of Resolution No. R-58-21:

- (a) There are 5,391 pending residential and commercial evictions that were filed on or after March 1, 2020 through December 31, 2021. Pending eviction cases include open eviction cases (i.e., eviction cases without a disposition) and reopened cases (i.e., cases with outstanding post-judgment court action);
- (b) There are 5,346 pending residential and commercial evictions that were filed after April 2, 2020 through December 31, 2021. The number of pending residential evictions that were filed on or after October 1, 2020 through December 31, 2021 is 4,574;
- (c) There were 20,755 residential and commercial evictions filed after April 2, 2020 through December 31, 2021. From October 1, 2020 through December 31, 2021, there were 1,422 commercial evictions filed;
- (d) There are 294 pending evictions in which declarations were filed with the court in accordance with the court's administrative orders and the CARES Act through December 31, 2021. Of that number, 196 were VACA declarations filed by the Plaintiff-Landlord and 85 were CDC Tenant Declarations filed by the Defendant-Tenant. There were 13 cases in which both types of declarations were filed;
- (e) There were 4,315 pending residential evictions in which declarations were not filed with the court from October 1, 2020 through December 31, 2021; and
- (f) There were 8,068 writs of possession issued from the expiration of the Governor's Executive Order No. 20-180 at 12:01 am on October 1, 2020 through December 31, 2021. Of that number, 464 were for commercial properties and 6,229 were for residential properties. A total of 1,375 were not classified by property type.

Additionally, since March 1, 2020 through December 31, 2021, there have been 6,573 writs of possession executed. This total of writs executed includes instances where the tenant vacated the property pursuant to an issued writ of possession as well as those where MDPD enforcement was required to return possession to the landlord. Of the 6,573 writs executed during this time period, 4,845 required enforcement by MDPD, and 1,728 were instances where possession was returned to the landlord without MDPD enforcement being necessary. The total number of writs executed includes those executed for foreclosure cases.

ATTACHMENTS

Figure 1 below illustrates the month-over-month trend of total filed eviction cases (pending and closed) on a yearly basis from 2018 through 2021.

Figure 1

**Month - Over - Month Trend of Total Filed Cases
2018 - 2021**

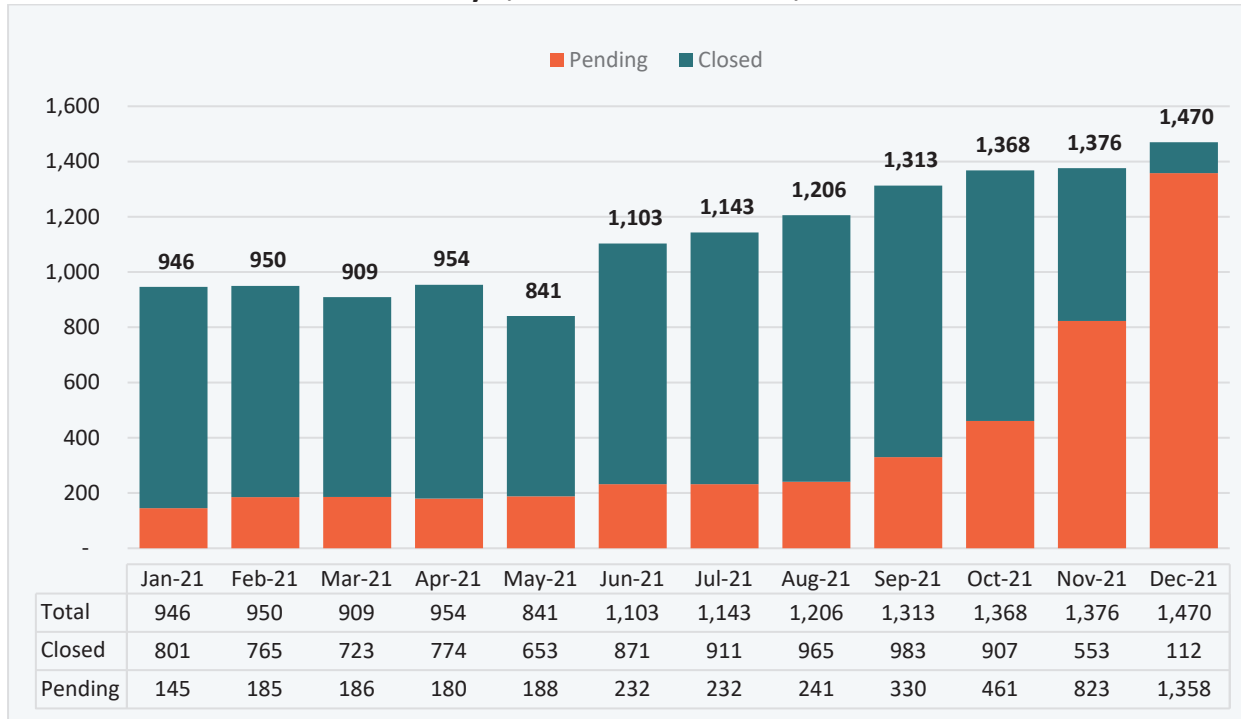
Month	2018	2019	2020	2021
January	1,652	1,681 ↑ 2%	1,591 ↓ -5%	946 ↓ -41%
February	1,406	1,362 ↓ -3%	1,356 ↓ 0%	950 ↓ -30%
March	1,310	1,300 ↓ -1%	785 ↓ -40%	909 ↑ 16%
April	1,271	1,252 ↓ -1%	163 ↓ -87%	954 ↑ 485%
May	1,475	1,399 ↓ -5%	270 ↓ -81%	841 ↑ 211%
June	1,522	1,435 ↓ -6%	320 ↓ -78%	1,103 ↑ 245%
July	1,543	1,646 ↑ 7%	279 ↓ -83%	1,143 ↑ 310%
August	1,679	1,691 ↑ 1%	1,198 ↓ -29%	1,206 ↑ 1%
September	1,448	1,497 ↑ 3%	1,278 ↓ -15%	1,313 ↑ 3%
October	1,562	1,651 ↑ 6%	1,515 ↓ -8%	1,368 ↓ -10%
November	1,399	1,355 ↓ -3%	1,049 ↓ -23%	1,376 ↑ 31%
December	1,263	1,424 ↑ 13%	1,141 ↓ -20%	1,470 ↑ 29%

Source: Odyssey Case Manager System (Clerk of Courts) *Office of the Commission Auditor*

Figure 2 captures on a monthly basis, from January 1, 2021 through December 31, 2021, the total number of eviction cases filed by case status (pending or closed).

Figure 2

**Cases Filed Monthly by Status
January 1, 2021 – December 31, 2021**



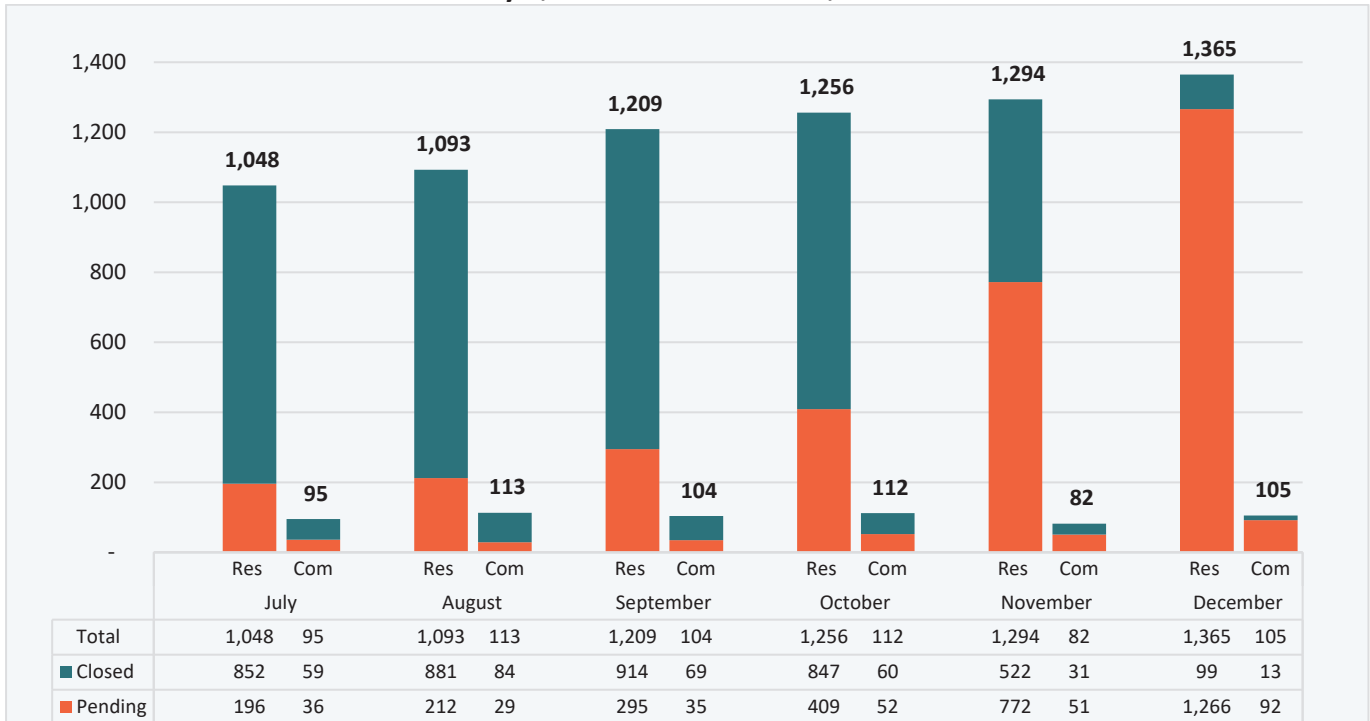
Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 3 captures the total number of evictions filed in each month, from July 1, 2021 to December 31, 2021, classified by property type (residential or commercial) and case status (pending or closed) as of December 31, 2021.

Figure 3

**Cases Filed by Type and Status
July 1, 2021 – December 31, 2021**



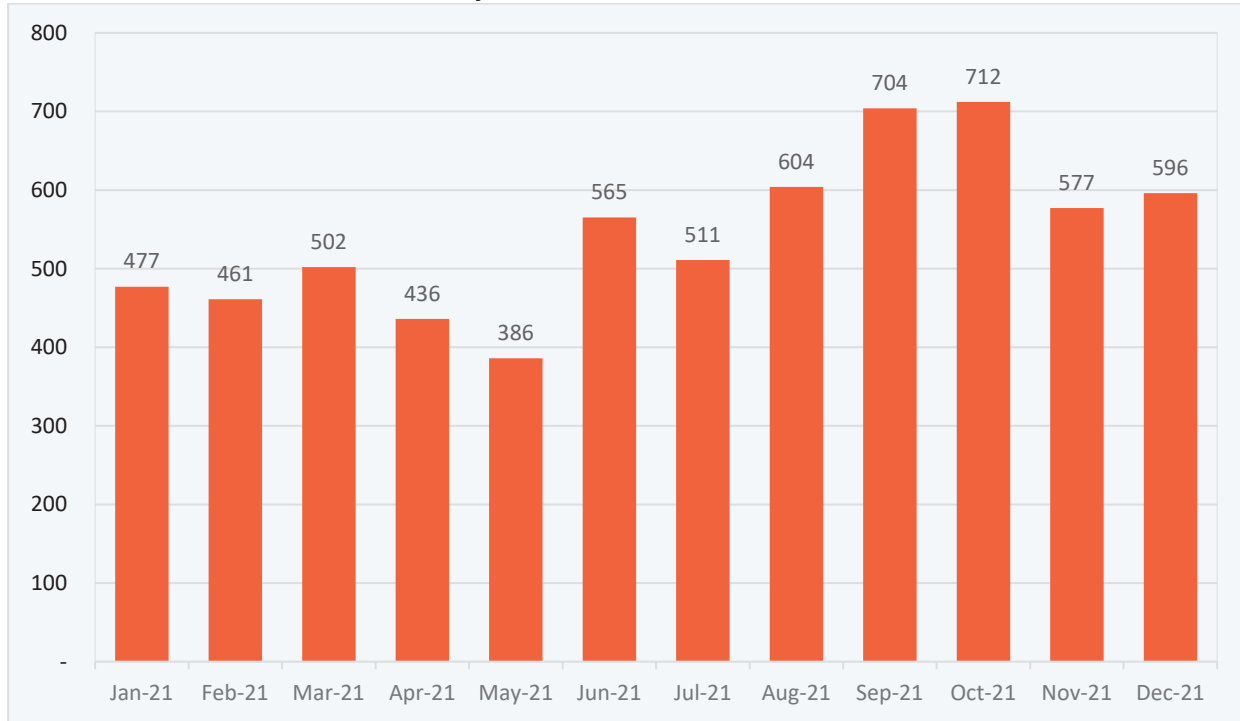
Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 4 depicts eviction case activity by month from January 1, 2021 to December 31, 2021. The total writs issued each month is shown.

Figure 4

**Monthly Writs Issued
January 1, 2021 - December 31, 2021**



Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 5 details the number of writs issued by property type from January 1, 2021 through December 31, 2021, irrespective of file date. Given that the Odyssey Case Manager did not distinguish between commercial and residential evictions prior to October 1, 2020, the “Type Not Listed” category represents cases that have not been classified by property type, as they were filed prior to October 1, 2020.

Figure 5

**Writs Issued by Property Type
January 1, 2021 – December 31, 2021**

Property Type	January	February	March	April	May	June	July	August	September	October	November	December	Total
Residential	363	369	404	365	312	513	473	533	648	645	540	559	5,724
Commercial	23	29	38	31	49	35	24	41	40	54	32	33	429
Type Not Listed	91	63	60	40	25	17	14	30	16	13	5	4	378
Total	477	461	502	436	386	565	511	604	704	712	577	596	6,531

Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 6 displays the number of writs of possession executed by MDPD (MDPD Enforced) relative to those where possession was returned to the landlord without MDPD enforcement being necessary (Non-MDPD Enforced) from March 1, 2020 through December 31, 2021. Note that as of March 5, 2021, writs on commercial properties are being executed, and pending writs which do not qualify for the CDC eviction moratorium are being scheduled for service by MDPD, as stated in a March 10, 2021 memorandum from the Mayor to the BCC. The CDC’s eviction moratorium order ended on August 26, 2021.

Figure 6

**Total Number of Writs of Possession Executed
March 1, 2020 – December 31, 2021**

Writs Executed	Prior	January	February	March	April	May	June	July	August	September	October	November	December	Total
MDPD Enforced	301	3	1	330	534	583	485	422	440	440	513	408	385	4,845
Non-MDPD Enforced	263	7	0	144	265	248	240	116	100	88	100	84	73	1,728
Total	564	10	1	474	799	831	725	538	540	528	613	492	458	6,573

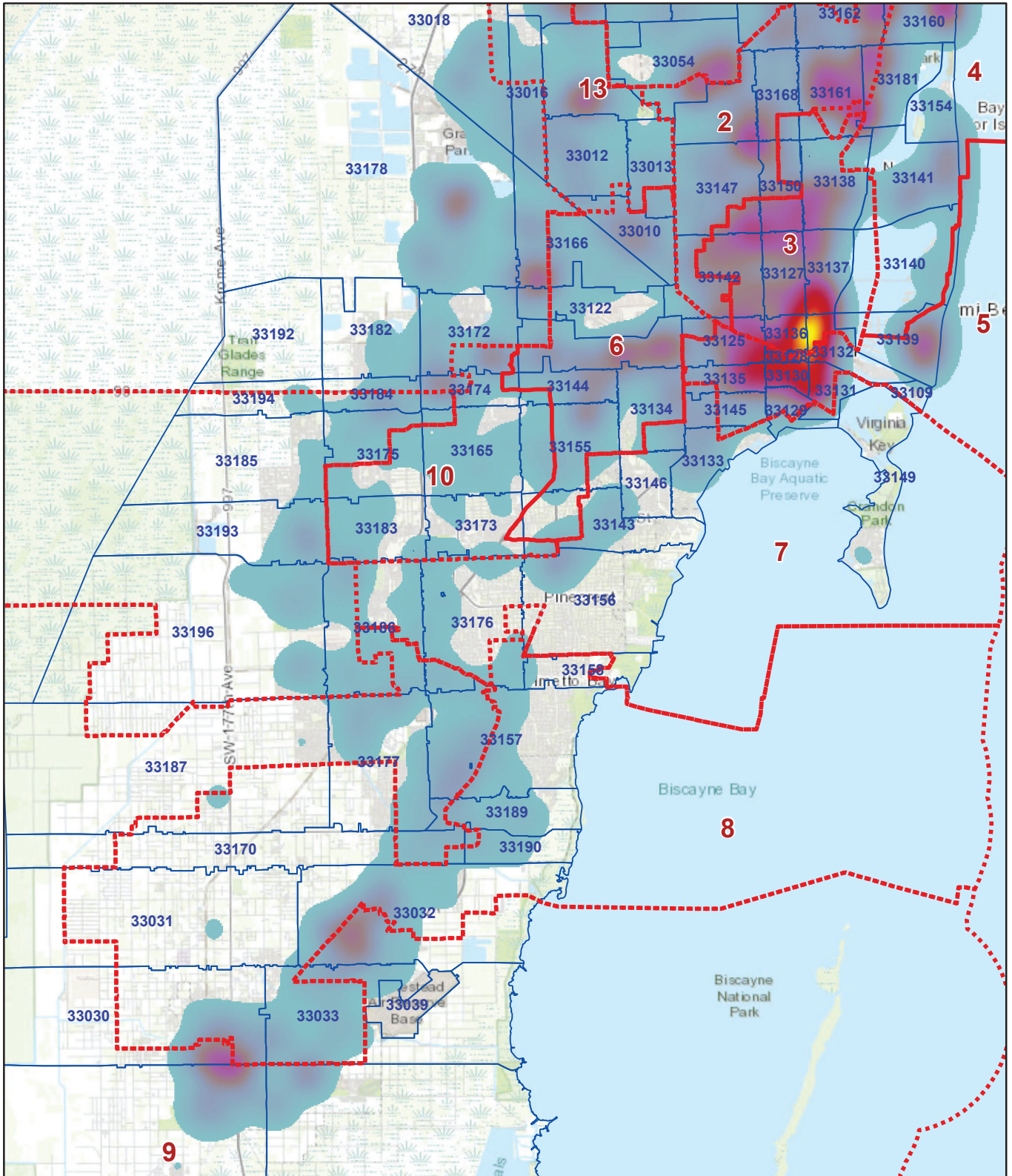
Source: Odyssey Case Manager System (Clerk of Courts)

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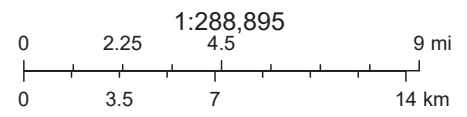
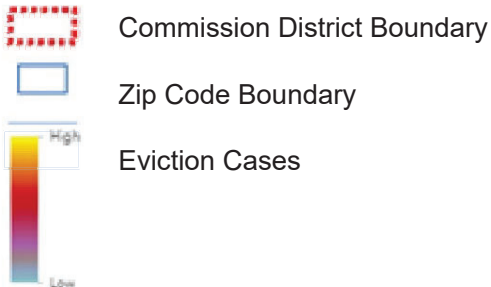
Figure 7 is a heatmap highlighting by zip code and Commission District pending countywide evictions filed between March 1, 2020 and December 31, 2021.

Figure 7

Number of Pending Eviction Cases
March 1, 2020 - December 31, 2021



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Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Figure 8 is a table denoting the total number of pending eviction cases filed in each County zip code from March 1, 2020 through December 31, 2021.

Figure 8

**Number of Pending Eviction Cases by Zip Code
March 1, 2020 – December 31, 2021**

Zip Code	Pending Eviction Cases	Zip Code	Pending Eviction Cases
33010	82	33149	3
33012	60	33150	134
33013	28	33152	1
33014	87	33154	11
33015	105	33155	58
33016	49	33156	24
33018	34	33157	87
33030	62	33158	1
33031	4	33160	135
33032	138	33161	223
33033	62	33162	127
33034	55	33165	21
33035	37	33166	102
33054	147	33167	69
33055	38	33168	56
33056	76	33169	128
33122	19	33170	23
33125	159	33172	62
33126	155	33173	8
33127	123	33174	37
33128	49	33175	28
33129	17	33176	40
33130	132	33177	39
33131	95	33178	120
33132	239	33179	152
33133	23	33180	63
33134	39	33181	104
33135	125	33182	8
33136	157	33183	15
33137	173	33184	20
33138	112	33185	8
33139	85	33186	46
33140	16	33187	11
33141	77	33189	23
33142	198	33190	13
33143	23	33193	26
33144	50	33194	4
33145	30	33195	1
33146	8	33196	39
33147	153		

TOTAL PENDING EVICTION CASES - 5,391

Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 9 is a table denoting the total number of pending eviction cases filed in each Commission District from March 1, 2020 through December 31, 2021.

Figure 9

**Number of Pending Eviction Cases by District
March 1, 2020 – December 31, 2021**

District Number	Commissioner Name	Pending Eviction Cases: Count	Pending Eviction Cases: Percent to Total
1	Oliver Gilbert	493	9%
2	Jean Monestime	733	14%
3	Keon Hardemon	1,086	20%
4	Sally A. Heyman	402	7%
5	Eileen Higgins	624	12%
6	Rebeca Sosa	415	8%
7	Raquel Regalado	145	3%
8	Danielle Cohen Higgins	213	4%
9	Kionne McGhee	447	8%
10	Sen. Javier D. Souto	102	2%
11	Joe A. Martinez	144	3%
12	Jose "Pepe" Diaz	346	6%
13	René García	241	4%

TOTAL PENDING EVICTION CASES - 5,391

Source: Odyssey Case Manager System (Clerk of Courts)

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II. FORECLOSURES

The following is being reported pursuant to Section 3 of Resolution No. R-468-21.

- (a) There were 3,440 residential and commercial foreclosures filed on or after March 1, 2020 through December 31, 2021. Of these, 1,770 are pending (open and reopened, including inactive) cases;
- (b) There were 2,826 residential foreclosures filed after April 2, 2020 through December 31, 2021. Of these, 1,554 are pending cases;
- (c) The number of commercial foreclosures filed after April 2, 2020 through December 31, 2021 is 259, of which 121 are pending cases;
- (d) There were 864 final judgments issued in residential and commercial foreclosure cases from the expiration of the Governor's Executive Order No. 20-180 at 12:01am on October 1, 2020 through December 31, 2021;
- (e) There were 898 foreclosure sales of residential and commercial properties pursuant to final judgments issued by the court from March 1, 2020 through December 31, 2021. Note that the Odyssey Case Manager System reflects a foreclosure sale on a case when there is an effective sale date and does not account for instances when the sale was prevented after the sale date was set due to actions on the case, e.g., settlement or bankruptcy filing;
- (f) There were 1,653 residential foreclosure cases filed from March 1, 2020 to December 31, 2021 where the subject property was homestead exempt;
- (g) There were 1,519 residential foreclosure cases filed from March 1, 2020 to December 31, 2021 where the subject property was not homestead exempt;
- (h) There were 300 foreclosure cases filed in county court, and 3,140 foreclosure cases filed in circuit court from March 1, 2020 to December 31, 2021;
- (i) OCA is unable to report on the location by zip code of each residential and commercial property that is or was subject to a foreclosure action due to limitations of the Odyssey Case Manager System. Specifically, the system does not capture the address of the property subject to foreclosure;
- (j) There were 4,293 foreclosure actions or judgments between \$0.00 to \$50,000, 343 between \$50,000 and \$250,000, and 623 over \$250,000 from March 1, 2020 through December 31, 2021. Note that entry of the judgment amount was not a requirement until October 1, 2020; provision of this information was optional prior to this date, according to the Clerk of the Courts. Therefore, the Odyssey Case Manager reflects an entry of \$0.00 in numerous

instances where this information was not provided. Of the 4,293 foreclosure cases where the judgment amount was in the \$0.00 to \$50,000 range, 4,219 were foreclosure cases where the judgment amount was reported as \$0.00, either due to nonreporting, or due to the case having been dismissed; and

- (k) For foreclosure cases where a final judgment was entered on or after March 1, 2020 through December 31, 2021, there were 887 foreclosure sales where the bid amount was \$0.00 due to the foreclosure sale not being completed. There were 234 foreclosure sales where the bid amount was in the \$0.01 to \$175,000 range, and 437 where the bid amount was above \$175,000.

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Figure 1 below illustrates the month-over-month trend of total filed foreclosure cases (pending and closed) on a yearly basis from 2018 through 2021.

Figure 1

**Month - Over - Month Trend of Total Filed Cases
2018 - 2021**

Month	2018	2019	2020	2021
January	260	476 83%	393 -17%	142 -64%
February	308	545 77%	359 -34%	143 -60%
March	450	479 6%	342 -29%	188 -45%
April	479	483 1%	53 -89%	137 158%
May	624	497 -20%	38 -92%	118 211%
June	668	384 -43%	50 -87%	150 200%
July	411	402 -2%	63 -84%	127 102%
August	540	425 -21%	221 -48%	271 23%
September	457	338 -26%	140 -59%	279 99%
October	485	424 -13%	144 -66%	216 50%
November	444	407 -8%	126 -69%	189 50%
December	439	364 -17%	154 -58%	149 -3%

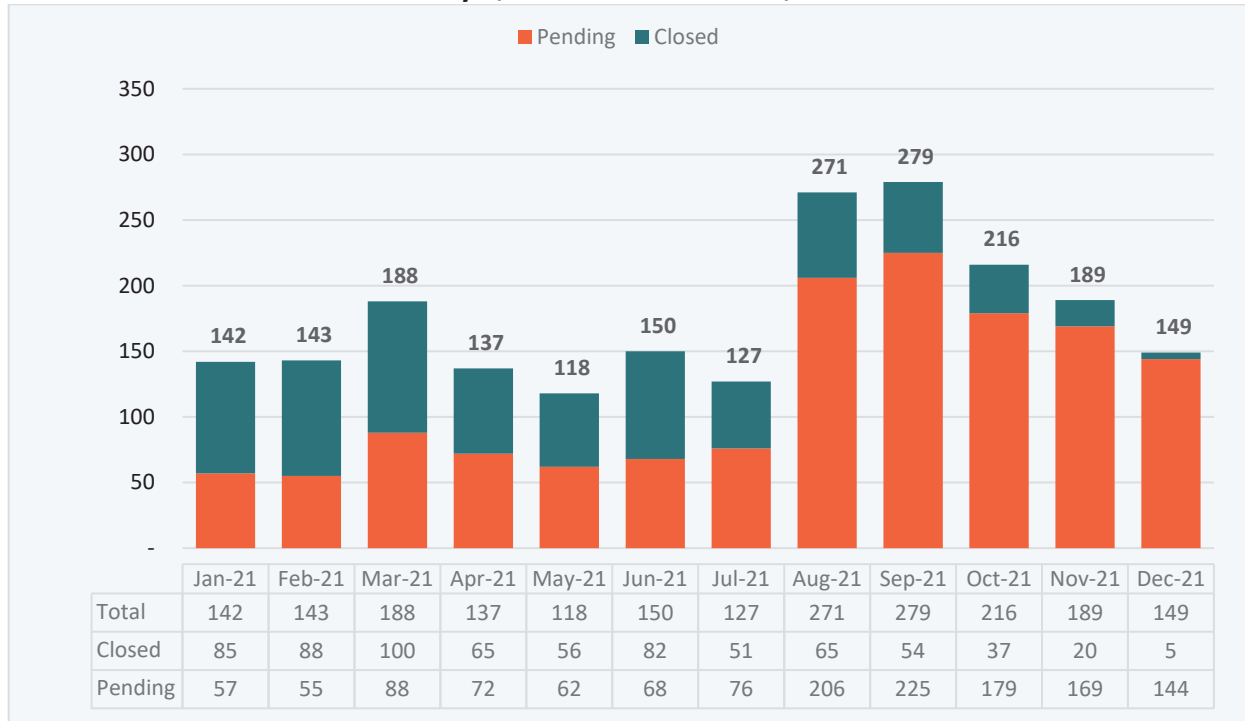
Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 2 depicts totals of foreclosure cases by case status (pending or closed) for each month from January 2021 through December 2021.

Figure 2

**Total Monthly Foreclosures by Case Status
January 1, 2021 – December 31, 2021**



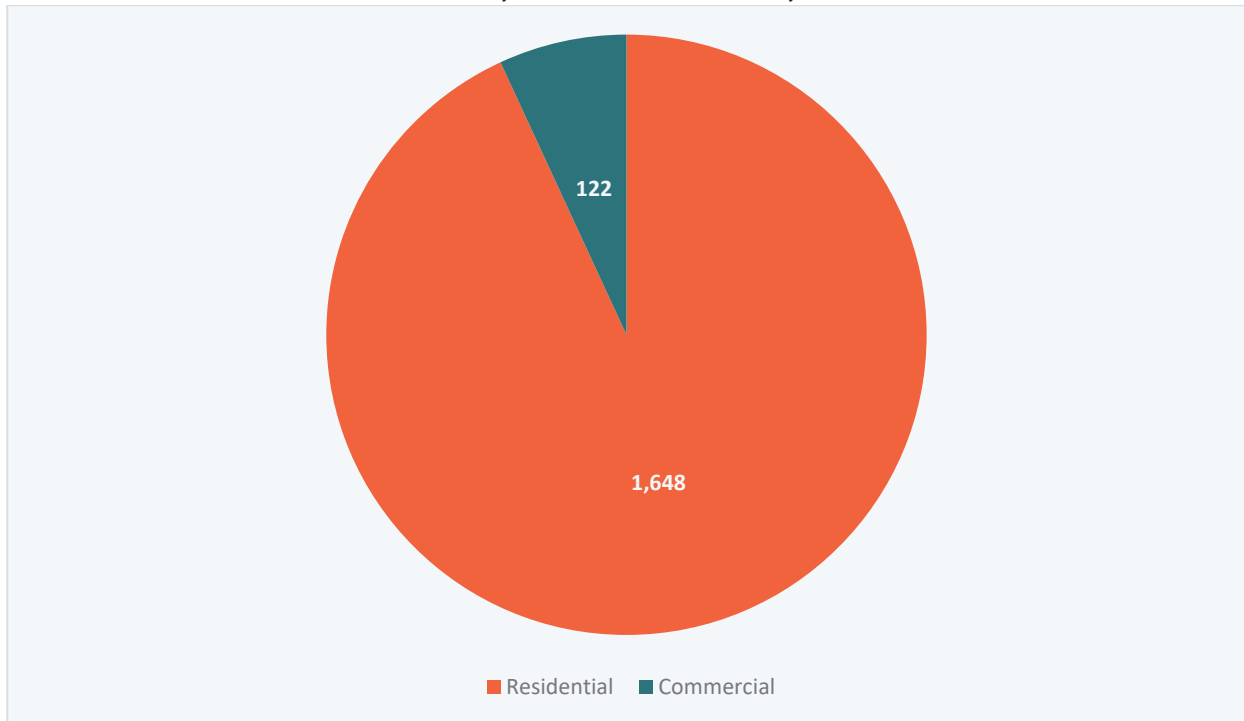
Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 3 illustrates the total of pending foreclosure cases (filed on or after March 1, 2020 through December 31, 2021) by property type.

Figure 3

**Pending Foreclosures by Property Type
March 1, 2020 – December 31, 2021**



Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 4 depicts the number of foreclosure cases (filed from October 1, 2020 to December 31, 2021) resulting in final judgment, and the number of cases during this period where the Odyssey Case Manager reports a foreclosure sale, by month and property type.

Figure 4

**Foreclosure Sales After Final Judgment
October 1, 2020 – December 31, 2021**

Category Name	Prior		July		August		September		October		November		December		Total	
	RES	COM	RES	COM	RES	COM	RES	COM	RES	COM	RES	COM	RES	COM	RES	COM
Final Judgement	409	29	40	3	48	2	66	6	82	4	81	4	88	2	814	50
Sales	396	25	39	3	47	2	61	5	63	4	47	2	30	0	683	41

Source: Odyssey Case Manager System (Clerk of Courts)

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Figure 5 details totals of foreclosure cases by foreclosure judgment amount (i.e., \$0.00 to \$50,000, \$50,000 to \$250,000, and over \$250,000) for cases where a disposition was entered on or after March 1, 2020 through December 31, 2021.

Figure 5

**Foreclosure Cases by Foreclosure Judgment Amount
March 1, 2020 – December 31, 2021**

Judgment Range	Total
\$0.00 - \$50,000	4,293
\$50,001 - \$250,000	343
> \$250,000	623
Total	5,259

Source: Odyssey Case Manager (COC)

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Figure 6 provides information on the bid amounts for foreclosed properties based on foreclosure cases where a final judgment was issued on or after March 1, 2020 through December 31, 2021.

Figure 6

**Foreclosure Cases by Bid Amount Range
March 1, 2020 – December 31, 2021**

Bid Range	Total
\$0.00	887
\$0.01 - \$25,000	43
\$25,001 - \$75,000	35
\$75,001 - \$175,000	156
\$175,001 - \$375,000	297
\$375,001 - \$750,000	103
> \$750,000	37
Total	1,558

Source: Odyssey Case Manager (COC)

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Report produced by the Office of the Commission Auditor

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The Office of the Commission Auditor

The Office of the Commission Auditor (OCA) was established in September 2002 by Ordinance 03-2 to provide support and professional analysis of the policy, service, budgetary and operational issues before the Miami-Dade Board of County Commissioners. The Commission Auditor's duties include reporting to the Board of County Commissioners on the fiscal operations of County departments, as well as whether the fiscal and legislative policy directions of the Commission are being efficiently and effectively implemented

This report, prepared in collaboration with the Miami-Dade County departments as subject matter experts, is substantially less detailed in scope than an audit in accordance with the Generally Accepted Auditing Standards (GAAS). The OCA plans and performs the review to obtain sufficient, appropriate evidence to provide a reasonable basis for its findings and conclusions based on its objectives; accordingly, the OCA does not express an opinion on the data gathered by the subject matter expert(s).